

REMARKS

Claims 1-16 are pending. Claims 1-16 have been examined and rejected.

Item 1 points out an error in antecedent basis, and rejects claim 16 under 35 U.S.C. Sec. 112, second paragraph.

Item 2 rejects claims 1, 4, 7, and 10 under 35 U.S.C. Sec. 102(e) as anticipated by U.S. Patent No. 5,882,406 to Brown, "Brown" hereinafter.

Item 3 rejects claims 2, 5, 8, 11, 13, and 15 under 35 U.S.C. Sec. 103(a) as being unpatentable over Brown in view of U.S. Patent No. 5,655,014 to Walsh *et al.*, "Walsh" hereinafter.

Item 4 rejects claims 3, 6, 9, 12, and 14 under 35 U.S.C. Sec. 103(a) as being unpatentable over Brown in view of well-known prior art under the provisions of MPEP Sec. 2144.03.

Applicants traverse the rejections and request reconsideration.

Sec. 112 Rejections

Claim 16 was rejected for insufficient antecedent basis. Claim 16 has been canceled, rendering the objection moot.

Sec. 102 Rejections

Item 2 rejects claims 1, 4, 7, and 10 as anticipated by Brown. The Office Action

states:

Regarding claim 1, Brown discloses a switching circuit for automatically routing audio and data signals between a modem, telephone and I/O device. In addition, Brown discloses a switching circuit, which reads on claimed "apparatus", for connecting a microphone (105), alternatively to a telephone line (228, 229) and modem (102), which reads on claimed "alternative device", as disclosed at column 3 line 48 through column 4, line 64 and exhibited in figures 1A, 1B and 2 ...

Office Action, page 2, lines 17-22. Applicants disagree.

In Applicants' system, the microphone (or headset) is connected to a telephone or an alternative device, depending on whether the sensed voltage exceeds a threshold. Brown nowhere discloses such alternate connections dependent on sensed voltage.

In the configuration of Fig. 1B, described at col. 4, lines 21-53, the modem controller controls the switching circuitry; the modem controller is in turn controlled by computer system 100, which includes "[a] keyboard 106, mouse 107, and display 116 [,] common devices coupled to computer system 100 for facilitating human interface with the computer" (Brown, col. 4, lines 51-53), to allow the human ultimate control over the switching. Indeed, it is clear from col. 4, lines 8-10, that the user selects the mode.

The Office Action goes on to state that the switching circuit comprises

a switching and line interface circuitry (111) connected to the modem, telephone, and microphone, the switching circuit connecting the telephone to the computer headset (104) in response to sensing a logic low signal that correlates to local phone off-hook detect, which reads on claimed "sensing a voltage", and the switching and line interface circuitry (111) connects the microphone to the modem, when configured by the computer, when the off-hook signal is not sensed, as disclosed at column 3, line 48 through column 4, line 64 and exhibited in figures 1B and 2.

Office Action, page 3, lines 7-13.

Applicants disagree that Brown teaches a microphone (or headset) being connected alternately to other devices depending on a sensed voltage, as specified by all of Applicants' independent claims, and as required by all of Applicants' dependent claims by implication. The cited text in Brown discloses disparate devices (Brown's "various communication devices 110") being alternately connected to a single telephone line, not a microphone (or headset) being alternately connected to a telephone line and another device, as in Applicants' claims.

Because Brown does not disclose the elements of Applicants' claims, it does not anticipate them.

Section 103 Rejections

Claims 2, 5, 8, 11, 13, and 15 are rejected as obvious over Brown in view of Walsh. Applicants disagree.

Walsh does not supply the limitations lacking in Brown. Walsh is cited as disclosing a computer-telephone-integration (CTI) module. However, Walsh discloses neither a microphone nor a headset that is connected alternately to a telephone line and to another device. Nor does Walsh include a teaching, suggestion, or motivation to modify the art to yield the limitations of Applicants' claims. Accordingly, Applicants assert that claims 2, 5, 8, 11, 13, and 15 are not obvious over the cited art.

Claims 3, 6, 9, 12, and 14 are rejected as unpatentable over Brown in view of well-

known prior art. Regarding claims 3, 6, and 9, The Office Action states that Brown discloses all elements, except that "Brown fails to disclose wherein the device is a personal computer. However, the examiner takes official notice of the fact that it was well known in the art to provide wherein the device is a personal computer." Office Action, page 6, lines 13-16. Claim 14 is rejected, the Office Action stating that, "Brown fails to disclose a personal computer and voice command. However, the examiner takes official notice of the fact that it was well known in the art to provide a personal computer and voice commands." Office Action, page 7, lines 17-19. Claim 12 is rejected "for the same reasons set forth above [regarding] claim 14." Office Action, page 8, lines 3-4.

Even if these devices are well known, there is no suggestion, teaching, or motivation shown to have the microphone (or headset) automatically connected alternately to a personal computer and a telephone line. Brown is primarily directed to allowing disparate devices to share a single telephone line, not to the automatic switching of a microphone (or headset). Accordingly, the limitations of the claims are not obvious over the cited art and "well-known prior art." Nor is any suggestion, teaching, or motivation shown to modify the art to yield the limitations of Applicants' claims. Accordingly, Applicants assert that their claims are not obvious over Brown in view of well-known prior art.

Conclusion

Applicants submit that their invention as claimed is not disclosed, taught, or suggested by the cited art. Therefore, it is submitted that all pending claims are allowable over the art of record and it is respectfully requested that the application be passed to allowance and issue.

Dated: February 4, 2002

Respectfully submitted,



Stuart P. Kaler
Attorney for Applicant(s)
Reg. No. 35,913

Siemens Corporation
1220 Charleston Road
P.O. Box 7393
Mountain View, CA 94039-7393
(650) 694-5339

Marked-Up Version of the Claims

[16. An apparatus as in Claim 14 wherein said device is a personal computer.]